IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

COMPANY APPLICATION No. 484 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ORIENTAL BANK OF COMMERCE - Applicant(s)
Versus
O.L OF SARDAR CEMENT PVT. LTD. - Respondent(s)

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Appearance :
MR RA MISHRA for Applicant(s) : 1,
OFFICIAL LIQUIDATOR for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 15/09/2006

ORAL JUDGMENT

1.This Judge's Summons has been taken out by the applicant/Oriental Bank of Commerce for an appropriate order directing the Official Liquidator

of the company in liquidation for selling and disposing of the lands at Village Shapar, Taluka Kotada Sagani, District Rajkot, bearing S. No. 255 admeasuring 17090 sq mts, mortgaged to applicant and owned by M/s. Sardar Cement Private Limited (in liquidation).

2.Shri Sudhir Mehta, learned advocate appearing for Official Liquidator has produced on record communication dated 27th June, 2006 by Official Liquidator to the applicant by which the applicant was requested to appoint a valuer to carry out the demarcation of the company's additional land of 17097 sq mts and to submit the demarcation report so as to enable the Official Liquidator to file a report before this Court for an appropriate directions/orders. He has submitted that unless the said communication is complied with, nothing further can be done.

3.Under the circumstances, the applicant to comply with the communication dated 27th June, 2006 and

submit/furnish the demarcation report as requested by the Official Liquidator in its communication dated 27th June, 2006 as early as possible preferably within a period of 4 weeks from today. Thereafter, after receiving the demarcation report, the Official Liquidator to proceed further and obtain an appropriate order from this Court.

4.With these, the present application is disposed of at this stage.

[M.R.SHAH, J.]

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